

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**J. S. (a minor child, by and through his
father and next best friend, John
Seawright),**

v.

**Officer Curt Campbell,
in his individual capacity,
Defendant.**

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Civil Case No. 2:05-cv-928-W

PLAINTIFF'S PROPOSED VOIR DIRE EXAMINATION

COMES NOW Plaintiff, by and through his attorneys of record, and requests the Court to examine the jury venire as to the following matters:

- 1 Does any member know Alex Holtsford, Rick Howard, April Willis, or any lawyer or support person who is employed by the law firm of Nix, Holtsford, Gilliland, Higgins & Hitson, P.C., a Montgomery law firm?
- 2 Does any member know either Jay Lewis, Andy Nelms, Carol Gerard or any employee of the Law Offices of Jay Lewis, a Montgomery firm?
- 3 Has any member ever worked in the legal profession, either as a lawyer, paralegal, or any other employee of a law firm?
- 4 Is any member related to any person who works, or has worked, in the legal profession?
- 5 Have you or has any member of your family ever been employed by any branch of the government of Fort Deposit, Alabama? If so, when and in what capacity?
- 6 Have you or has any member of your family or any close friend ever been employed by any law enforcement agency, including any police department, sheriff's office or any other agency or organization that deals with law enforcement?

- 7 Have you or has any member of your family or any close friend ever been employed by any correctional facility, including any jail, detention center, prison, or military detention facility?
- 8 Are you related to any law enforcement officer, regardless of the branch of government for which he works?
- 9 Are you acquainted with any employee of the Fort Deposit Police Department?
- 10 Has any member of the venire ever voted for or contributed money to the Mayor of Fort Deposit in any political race?
- 11 Has any member of the venire or any family member or close friend ever been incarcerated in a jail, prison, detention center, or other correctional facility? If you would like to tell the Court about it privately, please come forward after we complete the rest of the examination of the venire.
- 12 Does any member of the venire feel that a law enforcement officer is more likely to be telling the truth on the stand than an ordinary citizen, if their accounts of the same events differ? (Follow up with positive responses).
- 13 If two witnesses contradict each other and one is a law enforcement officer, are there any of you who are more likely to believe the law enforcement officer than the civilian witness? (Follow up with positive responses).
- 14 Whose feelings about police officers in general have changed since September 11th, 2001? (Follow up with positive responses).
- 15 Who among you feels that this country grants its citizens too many civil liberties? Do you agree those liberties need to be more restricted or limited? (Follow up with positive responses).

- 16 Do you feel that this country is just too soft on criminals?
- 17 Is there anyone who feels that a person who is in jail or is otherwise incarcerated deserves whatever he gets and shouldn't be heard to complain about his treatment?
- 18 You're going to hear from some witnesses who have criminal histories. Would you be inclined to disbelieve or discount what those witnesses tell you, just because they've been convicted of crimes?
- 19 Have you ever been the victim of a crime?
- 20 Have you ever had a relative or close friend arrested?
- 21 Does any member of the venire work for an insurance company; if so, in what capacity?
- 22 Is there anyone who would find it difficult to render a verdict against a law enforcement officer or would he or she hate to award money damages against such an officer?
- 23 Is there anyone who would find it difficult to render a verdict against an agency of government or would hesitate to award money damages against an agency of government if the evidence otherwise warranted it?
- 24 Has any member ever worked in a human resources or personnel department?
- 25 Has any member ever been responsible for hiring, firing, or disciplining employees?
- 26 Is there any member of the venire who is simply opposed to filing lawsuits?
- 27 Does any member of the venire feel that too many frivolous lawsuits are filed?
- 28 Is any member of the venire a member of any organization that seeks to limit either lawsuits or damages awarded? Are you a supporter of any such organization?
- 29 Does any member of the venire believe that the jury system is "out of control" or that the right of a plaintiff to a trial by jury should be limited?
- 30 Is there any member who feels that a person should not be able to come to court if he

feels his rights under the laws of the United States have been violated?

31 Does any member feel that, if he serves, he will not be able to render a fair verdict
because of the issues or the people involved in this case?

32 Is there any member of the venire who, for any other reason not addressed, feels that he or
she will be unable to serve as a juror in this case?

RESPECTFULLY SUBMITTED on this the __23rd__ day of October, 2006.

/s/ ANDY NELMS
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ASB-6972-E63K
One of the Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the below named parties or attorneys on this __23rd__ day of October, 2006.

Alex L. Holtsford, Jr.
Rick A. Howard
April Willis

/s/ ANDY NELMS
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